



# **CITY COUNCIL**

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

IKAIKA ANDERSON  
CHAIR & PRESIDING OFFICER  
ANN H. KOBAYASHI  
VICE CHAIR  
CAROL FUKUNAGA  
FLOOR LEADER  
BRANDON J. C. ELEFANTE  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI  
TOMMY WATERS

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## **JOURNAL**

REGULAR MEETING  
13TH SESSION  
WEDNESDAY, JULY 3, 2019

CITY COUNCIL CHAMBER  
3<sup>RD</sup> FLOOR, HONOLULU HALE  
HONOLULU, HAWAII 96813

*Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.*

### **CALL TO ORDER**

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ikaika Anderson, at 10:19 a.m.

### **ROLL CALL**

Roll call showed the following Councilmembers present:

Councilmembers Elefante, Fukunaga, Kobayashi, Manahan, Menor, Pine, Tsuneyoshi, Waters, Anderson – 9.

### **INTRODUCTION OF GUESTS**

Councilmember Manahan introduced Mayor Alejandra Sotelo Solis of National City, California, her husband Arturo Solis, Sweetwater School Board Trustee and their three daughters Ixcely, Adeena and Anahi who are here for the Mayor's Conference.

Councilmember Kobayashi introduced her intern Enkhmaa Bulgan of Mongolia. Ms. Bulgan received her Master's degree in Public Administration from the University of Hawaii at Manoa.

Councilmember Pine introduced her summer intern Sheela Nair who was born in India and moved to Hawaii when she was 6 years old. She will be a Senior at Kapolei High School and is a member of the Varsity Tennis Team and Junior ROTC.

#### APPROVAL OF MINUTES

Councilmember Kobayashi moved that the Minutes of the 11<sup>th</sup> and 12<sup>th</sup> Sessions be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Fukunaga.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

#### **ORDER OF THE DAY**

#### **ENTER INTO THE COUNCIL JOURNAL** MAYOR'S MESSAGE 77

June 25, 2019 – From Mayor Kirk Caldwell, returning vetoed Bill 85 (2018), CD2, relating to vacation rentals.

The Council Chair entered Mayor's Message 77 into the Council's Journal. He noted that at the request of the introducers, the measure did not come up for a potential veto override.

The following individuals testified:

1. Arvid Youngquist (M-369) (Support)
2. David Moskowitz (General comment)
3. Choon James (General comment)
4. Calvin Hulihee (General comment)
5. Charlene Silva (General comment)
6. Roy Nakamura (General comment)

Related communication:

M-369 Early testimony on Mayor's Message 77 [Bill 85 (2018), CD2]

**ADOPTION**

**RESOLUTION 19-120 – COMMITTEE REPORT 186**

RESOLUTION CONFIRMING THE APPOINTMENT OF MS. GAIL N. HARADA TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tsuneyoshi moved that Committee Report 186 and Resolution 19-120 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 186 and Resolution 19-120 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communications:

M-391 Early testimony on Resolution 19-120  
M-394 Additional testimony on Resolution 19-120

**PUBLIC HEARING/SECOND READING**

**BILL 30, CD1 – COMMITTEE REPORT 195**

A BILL RELATING TO REAL PROPERTY TAXATION.

Councilmember Manahan moved that Committee Report 195 be adopted and Bill 30 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individuals testified:

1. Reb Bellinger, Deep Ocean Ventures (M-370) (Support)
2. Arvid Youngquist (Support)
3. Eric Masutomi (Support)
4. Calvin Hulihee (General comment)
5. Choon James (General comment)

6. Roy Nakamura (General comment)
7. Charlene Silva (General comment)

Councilmember Tsuneyoshi expressed her concern on the measure based on the unknown cost of the property tax.

In response to Councilmember Tsuneyoshi, Nelson Koyanagi, Director, Department of Budget and Fiscal Services stated that:

- No additional research has been done and he has concerns of what the fiscal impact will be because it provides a 30 percent tax relief to various buildings within the City. He noted that as more information is received, he would be able to provide more accurate numbers.
- He is not aware of any tax exemption being approved for an unidentified business model.
- It sounds like a good sustainable project that will reduce the use of electricity. He noted he would like to look at the business model because the tax credit is needed in order for the business to survive.

Councilmember Pine stated that this is a worthy project and she is excited about it but she has concerns regarding the cost and the unknowns. She noted that it is difficult to vote on a measure without understanding the impact to the budget. Councilmember Pine expressed her concern that the exemption could hurt the efforts of affordable housing. She stated that she looks forward to discussion in Committee and will vote with reservations.

Councilmember Tsuneyoshi stated she will vote with reservations. She noted when the measure goes back to Committee she requested that the Committee Chair ask the applicant to explain the whole system and how it would impact the environment.

Councilmember Manahan stated his support to the measure. He noted that this measure and the following measure will be vetted by the Tax Review Commission and asked for councilmembers to support the measure to move it through the review process.

Chair Anderson thanked Councilmember Manahan for his leadership on this measure and noted that he looks forward to further discussion in Committee.

Committee Report 195 was adopted and Bill 30, CD1 passed second reading, as amended.

AYES: ELEFANTE\*, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR\*, PINE\*,  
TSUNEYOSHI\*, WATERS, ANDERSON – 9.

NOES: None.

\*Councilmembers Elefante, Menor, Pine, and Tsuneyoshi voted aye with reservations.

Related communication:

M-370 Early testimony on Bill 30, CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 33, CD1 – COMMITTEE REPORT 196**

A BILL RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR HOMES.

Councilmember Manahan moved that Committee Report 196 be adopted and Bill 33 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individuals testified:

1. Sharlene Chun-Lum (General comment)
2. Choon James (General comment)
3. Charlene Silva (General comment)
4. Roy Nakamura (General comment)
5. Sander Kapohuolahaina Moniz Pa (General comment)

Councilmember Waters stated that his understanding is that the Bill would lower taxes and he voiced his support for the measure.

Committee Report 196 was adopted and Bill 33, CD1 passed second reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI\*, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

\*Councilmember Kobayashi voted aye with reservations.

Related communication:

M-395          Additional testimony on Bill 33, CD1

**THIRD READING**

**BILL 19, CD2 – COMMITTEE REPORT 194**

A BILL FOR AN ORDINANCE RELATING TO CAR -SHARING.

Councilmember Manahan moved that Committee Report 194 be adopted and Bill 19, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Elefante.

The following individuals testified:

1.     Sharlene Chun-Lum (M-396) (Oppose)
2.     Roy Nakamura (General comment)
3.     Choon James (General comment)
4.     Calvin Hulihee (General comment)
5.     Julie Yamamoto, Hui Car Share (Support)

In response to Councilmember Kobayashi, Ms. Yamamoto stated that Hui Car Share has private partners and does not use any on-street parking spaces.

6.     Sander Kapohuolahaina Moniz Pa (General comment)
7.     Arvid Youngquist (M-371) (Oppose)

In response to councilmembers, Wes Frysztacki, Director, Department of Transportation Services stated that:

- Biki uses about 30 on-street parking spaces and is not charged for the spaces or use of sidewalks. DTS wanted to support Biki because it was a pilot project.
- DTS supports the Bill because it is another mode of transportation and provides people with alternatives.
- DTS is drafting a Bill to deal with mobility devices and providing an equal way of charging the different operations the same kind of fee for using public space.
- Bill 19 has a reporting requirement to the City Council.

- The bike sharing program did not have a requirement to report back to the City Council but the Bike Share Hawaii website reports where the stations are located and some statistics related to the amount of activity over the past couple of years.
- There are no specific spaces identified in the measure. DTS intends to find new locations that are currently not available for normal on-street parking that could be used for reserved car sharing spaces.
- The Bill does not provide a discount for off-street parking spaces. For example, the Harbor Court monthly parking rate is \$140 and the annual rate for a car-sharing operation would be more than that.
- If the Bill is enacted, one of the first steps would be to identify the parking spaces, and then to establish administrative rules.

Councilmember Elefante thanked Budget Chair Manahan for co-introducing the measure. He stated that the Bill sets up a process to authorize car share companies to pay the City for a limited number of reserved parking stalls in City-owned parking lots and on selected City streets. He also noted that there is a cap of 80 stalls in City-controlled parking lots and 80 stalls on public streets with no more than two stalls on any one City block. Councilmember Elefante stated that this is not a new idea and studies have shown that one car share vehicle can take between nine and thirteen vehicles off the road, freeing up more parking and reducing carbon emissions in the City. He noted that the Bill will provide an effective mobility option and bring the City closer to a multi-modal system that would meet transportation needs. Councilmember Elefante stated that he will be voting in strong support of the measure and asked his colleagues to support the measure.

Councilmember Kobayashi stated she believes in car sharing and she applauded Hui Car Share. She noted that they have been in operation for over a year and have not taken any parking spaces away from the public or burdened the City. The Hui uses private property and has been successful. Councilmember Kobayashi stated that she has reservations about the measure.

Councilmember Tsuneyoshi voiced her reservations to the measure because at this point the City does not have enough information or policies and procedures in place. She also applauded Hui Car Share for doing a great job and for utilizing private areas.

Councilmember Fukunaga stated she shares some of the reservations expressed by Councilmember Kobayashi. She noted that the parking lots that have been identified as City-owned properties are in Chinatown and she questioned whether that would be the most suitable location to develop additional car sharing opportunities. Councilmember Fukunaga stated that she supports the use of car sharing alternatives but feels that the City needs to study the proposed locations.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-221).

Committee Report 194 was adopted and Bill 19, CD2 passed third reading, as amended.

AYES: ELEFANTE, FUKUNAGA\*, KOBAYASHI\*, MANAHAN, MENOR, WATERS,  
ANDERSON – 7.  
NOES: PINE, TSUNEYOSHI – 2.

\*Councilmembers Fukunaga and Kobayashi voted aye with reservations.

Related communications:

M-371 Early testimony on Bill 19, CD2  
M-396 Additional testimony on Bill 19, CD2

## **FIRST READING**

### **BILL 25**

(Zoning, Planning and Housing)

A BILL FOR AN ORDINANCE RELATING TO THE ADOPTION OF THE STATE ENERGY CONSERVATION CODE.

Councilmember Kobayashi moved that Bill 25 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Jeff Mikulina, Blue Planet Foundation (M-397) (Support)
2. Brandon Lee (Support)
3. Calvin Hulihee (General comment)
4. Arvid Youngquist (M-372) (Support)



Bill 25 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

D-444 Climate Change Commission  
M-372 Early testimony on Bill 25  
M-397 Additional testimony on Bill 25

## **FIRST READING**

### **BILL 34**

(Public Infrastructure, Technology  
and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO THE OFFICE OF CLIMATE CHANGE,  
SUSTAINABILITY, AND RESILIENCY.

Councilmember Kobayashi moved that Bill 34 pass first reading. Seconded by  
Councilmember Fukunaga.

The following individuals testified:

1. Choon James (General comment)
2. Arvid Youngquist (M-373) (Support)

Bill 34 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-373 Early testimony on Bill 34

**FIRST READING**

**BILL 36**

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO RESTRICTED PARKING ZONES.

Councilmember Kobayashi moved that Bill 36 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Arvid Youngquist (M-374) (Oppose)

Bill 36 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-374 Early testimony on Bill 36

M-398 Additional testimony on Bill 36

**FIRST READING**

**BILL 37**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO COMMUNITY WORKFORCE AGREEMENTS.

Councilmember Kobayashi moved that Bill 37 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (M-375) (Support)
2. Roy Nakamura (General comment)

Bill 37 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communication:

M-375 Early testimony on Bill 37

### **FIRST READING**

#### **BILL 38**

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO LOADING ZONES AND BUS STOPS.

Councilmember Kobayashi moved that Bill 38 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Rick Egged (Support)
2. Dave Moskowitz (Support)

Bill 38 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communications:

M-392 Early testimony on Bill 38  
M-399 Additional testimony on Bill 38

### **RECESS/RECONVENE**

At 12:03 p.m., the Chair called for a short recess and reconvened the meeting at 12:04 p.m.

**ADOPTION**

**RESOLUTION 19-137 – COMMITTEE REPORT 188**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU DISC GOLF ASSOCIATION.

Councilmember Tsuneyoshi moved that Committee Report 188 and Resolution 19-137 be adopted. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Pamela Martin, Honolulu Disc Golf Association (M-376) (Support)
2. Arvid Youngquist (Support)

Committee Report 188 and Resolution 19-137 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: MENOR – 1.

Related communications:

M-376 Early testimony on Resolution 19-137

M-400 Additional testimony on Resolution 19-137

**ADOPTION**

**RESOLUTION 19-128 – COMMITTEE REPORT 187**

RESOLUTION AUTHORIZING THE ADOPTION OF THE AGENCY-SPECIFIC RECORDS RETENTION SCHEDULE FOR THE DEPARTMENT OF CUSTOMER SERVICES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tsuneyoshi moved that Committee Report 187 and Resolution 19-128 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Arvid Youngquist (M-377) (Oppose)

Committee Report 187 and Resolution 19-128 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

M-377 Early testimony on Resolution 19-128

M-401 Additional testimony on Resolution 19-128

**ADOPTION**

**RESOLUTION 19-121 – COMMITTEE REPORT 189**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM NAGOYA TOYOPET.

Councilmember Pine moved that Committee Report 189 and Resolution 19-121 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 189 and Resolution 19-121 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

**ADOPTION**

**COMMITTEE REPORT 190 (RESOLUTION 19-135 LAID OVER AND PUBLISHED)**

RESOLUTION PROVIDING FOR THE ACQUISITION OF AN EASEMENT FOR PUBLIC USE, TO WIT: IMPROVEMENT DISTRICT NO. 272, KAHALUU SEWERS SECTION 4, SITUATE AT KAHALUU, KOOLAUPOKO, HONOLULU, OAHU, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN.

Councilmember Menor moved that Committee Report 135 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 190 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Resolution 19-135 was laid over and published, pursuant to the Revised Charter of the City and County of Honolulu 1973, as amended, Section 3-202.9.

#### **ADOPTION**

##### **RESOLUTION 19-147 – COMMITTEE REPORT 191**

RESOLUTION TO REQUEST ADDITIONAL FUNDS, AMEND AND EXTEND TIME FOR CONTRACT NO. SC-COR-1700066 TO CONTINUE THE SERVICES OF CHONG, NISHIMOTO, SIA, NAKAMURA & GOYA, LLLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANTS CITY AND COUNTY OF HONOLULU AND DEPARTMENT OF ENVIRONMENTAL SERVICES IN A LEGAL ACTION ENTITLED PAMELA NONAKA V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 14-1-0077-01 JHC

Councilmember Menor moved that Committee Report 191 and Resolution 19-147 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Arvid Youngquist (M-378) (Oppose)
2. Choon James (General comment)
3. Calvin Hulihee (General comment)

Committee Report 191 and Resolution 19-147 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communication:

M-378 Early testimony on Resolution 19-147

**ADOPTION**

**RESOLUTION 19-122 – COMMITTEE REPORT 197**

RESOLUTION ACCEPTING GIFTS FROM THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS.

Councilmember Manahan moved that Committee Report 197 and Resolution 19-122 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (M-379) (Support)

Committee Report 197 and Resolution 19-122 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-379 Early testimony on Resolution 19-122

**ADOPTION**

**RESOLUTION 19-141 – COMMITTEE REPORT 198**

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$500,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU TO FINANCE CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Manahan moved that Committee Report 198 and Resolution 19-141 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (M-380) (Support)
2. Ryan Kobayashi, Hawaii Laborers Union Local 368 (M-380) (Support)
3. Arvid Youngquist (General comment)
4. Calvin Hulihee (General comment)
5. Natalie Iwasa (General comment)
6. Roy Nakamura (General comment)
7. Choon James (General comment)
8. Charlene Silva (General comment)

Councilmember Kobayashi stated that she agrees with Mr. Kinney and Mr. Kobayashi who expressed very good reasons for the project; however, she explained that she is very worried and against the process for financing the project. Councilmember Kobayashi noted that she cannot ask the taxpayers to co-sign a loan for the rail project and that she will vote no on the measure.

In response to Councilmember Tsuneyoshi, Nelson Koyanagi, Director, Department of Budget and Fiscal Services stated that:

- The law allows the City to defer principal payments for up to five years on General Obligation bonds. The bonds are being issued for cash flow purposes during the construction phase so payment is being deferred and only interest payments will be made for the first five years. In five years, the principal and interest will be paid for the remaining term of the bond.
- Act 1 stipulates and requires that the State review all invoices.
- As the Honolulu Authority for Rapid Transportation (HART) spends the money, they submit the invoices to the State and upon approval the State will remit the funds to HART.
- In theory, the State should be giving the City all of the transient accommodations tax (TAT) and general excise tax (GET) but it depends on State review of the invoices and whether the invoices are approved pursuant to Act 1.



In response to Councilmember Tsuneyoshi, Ruth Lohr, Interim Chief Financial Officer and Fiscal Officer, HART stated that:

- She had meetings with the Comptroller's Office and the Audit Administrator to ensure open communication and answer questions as directed by the HART Board. HART has provided every invoice received since the beginning of 2018. On-line certification from the Comptroller's Office is required by Act 1 for reimbursement.
- She noted that she cannot give any assurance from the State but can provide assurance based on the communications she has had with the State.
- HART looks at projections of GET and TAT in order to ensure there is coverage for the repayment to HART.
- The bonds are to cover cash flow because the GET and TAT do not come in at the same levels as spending and the actual construction costs are expected to be for the next five years which is why the deferral is in place for the principal. This allows HART to cover cash flow to ensure that the project moves along, then HART would utilize GET and TAT once construction is completed to repay the bonds. The sunset date of Act 1 is 2030.

At 12:37 p.m., Chair Anderson left the chambers and Vice-Chair Kobayashi assumed the role of Presiding Officer.

At 12:40 p.m., Chair Anderson returned and assumed his duties as Presiding Officer and Vice-Chair Kobayashi returned to her seat.

Councilmember Waters stated that he will vote in support of the measure but urged the incorporation of the reservation articulated by Councilmember Tsuneyoshi and Community Advocate Natalie Iwasa.

Councilmember Tsuneyoshi shared the concern of Councilmember Kobayashi that based on the lack of information the City needs to ensure it will be reimbursed. She noted that she will be voting in opposition to the measure.

Councilmember Manahan voiced his strong support of the measure. He reassured the councilmembers that City bonds will be floated to pay for the rail project and the City will be reimbursed by the half percent surcharge and the transient accommodations tax revenues. Councilmember Manahan noted that there is a memorandum of understanding between HART and the City that outlines the terms and conditions on how the bonds will be paid.

Councilmember Kobayashi stated that besides the assurance from HART that the City taxpayers will be reimbursed, she would like assurance from HART that there will be no more increases to the cost of the project.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-222).

Committee Report 198 and Resolution 19-141 were adopted.

AYES: ELEFANTE, MANAHAN, MENOR, PINE, WATERS\*, ANDERSON – 6.  
NOES: FUKUNAGA, KOBAYASHI, TSUNEYOSHI – 3.

\*Councilmember Waters voted aye with reservations.

Related communication:

M-380 Early testimony on Resolution 19-141

## **ADOPTION**

### **RESOLUTION 19-142 – COMMITTEE REPORT 199**

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$425,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR FINANCING THE AMOUNTS APPROPRIATED IN CERTAIN CAPITAL BUDGET ORDINANCES OF THE CITY AND COUNTY OF HONOLULU SPECIFIED IN SUCH CAPITAL BUDGET ORDINANCES.

Councilmember Manahan moved that Committee Report 199 and Resolution 19-142 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (M-381) (Oppose)

Committee Report 199 and Resolution 19-142 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communication:

M-381 Early testimony on Resolution 19-142

#### **ADOPTION**

#### **RESOLUTION 19-144 – COMMITTEE REPORT 200**

RESOLUTION AUTHORIZING THE LEASE OF CITY PROPERTY TO HAWAII HOMELESS HEALTHCARE HUI FOR HOUSING AND SERVICES FOR SPECIAL NEEDS GROUPS UNDER SECTION 28-3.5, REVISED ORDINANCES OF HONOLULU (ROH).

Councilmember Manahan moved that Committee Report 200 and Resolution 19-144 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Arvid Youngquist (M-382) (Support)
2. Lisa Anderson, H4 (Support)

Councilmember Manahan stated his strong support of the measure. He noted that the measure authorizes the lease of the City property to the H4 Hui for housing services and special needs groups. Councilmember Manahan stated that with all the services combined in one location, he hopes this will start to end homelessness and he looks forward to implementing the services as soon as possible. He asked for councilmembers to support the Resolution.

Councilmember Pine commended and thanked Ms. Anderson for the work she is doing. She noted that while working at the House of Representatives, she worked at a homeless shelter and it has helped her understand the homeless issue. Councilmember Pine expressed how proud she is of the Council, Budget Chair Manahan and Councilmember Fukunaga who are helping this area.

Chair Anderson noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-233).

Committee Report 200 and Resolution 19-144 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communication:

M-382 Early testimony on Resolution 19-144

#### **RECESS/RECONVENE**

At 12:56 p.m., the Chair called for a recess as noted on the agenda. With 7 members present (Excused: Menor, Waters – 2), the Chair reconvened the meeting at 1:42 p.m.

#### **ADOPTION**

##### **RESOLUTION 19-132, CD1 – COMMITTEE REPORT 201**

RESOLUTION URGING THE CITY ADMINISTRATION TO EXPEDITIOUSLY ACQUIRE THE BRIDGE ON AHILAMA ROAD THAT TRAVERSES KALAHAKU STREAM IDENTIFIED AS BEING WITHIN TAX MAP KEY 4-7-005: 018 (PORTION).

Councilmember Fukunaga moved that Committee Report 201 and Resolution 19-132, as amended to CD1, be adopted. Seconded by Councilmember Pine.

The following individual testified:

Chuck Pearson, Kahaluu Neighborhood Board (General comment)

Councilmember Tsuneyoshi urged councilmembers to support the measure. She stated that this is an emergency issue of health and safety for the area residents and noted that the bridge is deteriorating. Councilmember Tsuneyoshi asked for the City to help the private citizens maintain the bridge.

Committee Report 201 and Resolution 19-132, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,  
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-393 Early testimony on Resolution 19-132, CD1

**ADOPTION**

**RESOLUTION 19-133, FD1 – COMMITTEE REPORT 202**

RESOLUTION REQUESTING THE OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY TO CONDUCT A FEASIBILITY STUDY TO ESTABLISH A COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE CITY AND COUNTY OF HONOLULU.

The following amendment was posted on the agenda:

Resolution 19-133, Proposed FD1

Councilmember Fukunaga moved that Committee Report 202 and Resolution 19-133 be adopted. Seconded by Councilmember Pine.

Councilmember Fukunaga moved that the Resolution be amended to FD1. Seconded by Councilmember Pine. The FD1 makes the following amendments:

- A. Removes references to "in conjunction with the City Administration" from the title and BE IT RESOLVED clause.
- B. Revises the BE IT RESOLVED clause to request that the Office of Climate Change, Sustainability and Resiliency work with external partners on the feasibility study.
- C. Revises the second BE IT FURTHER RESOLVED clause by requiring the study to be transmitted no later than 180 days instead of 90 days.
- D. Makes miscellaneous technical and nonsubstantive amendments to comport with current drafting conventions.

The following individual testified:

Reb Bellinger, Deep Ocean Ventures (M-383) (Support)

Councilmember Fukunaga stated that the measure requests that the Office of Climate Change, Sustainability and Resiliency conduct a feasibility study to establish a Commercial Property Assessed Clean Energy program in the City and County of Honolulu. The Resolution is based upon programs in other jurisdictions where the property owners are able to have a new property tax assessment which can be used for clean energy development improvements. She encouraged councilmembers to support the FD1 amendment.

Resolution 19-133 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Committee Report 202 and Resolution 19-133, FD1 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

M-383 Early testimony on Resolution 19-133

M-402 Additional testimony on Resolution 19-133

## **ADOPTION**

### **RESOLUTION 19-145 – COMMITTEE REPORT 203**

RESOLUTION URGING THE MAYOR AND THE CITY ADMINISTRATION TO ADDRESS THE CONCERNS OF THE AFFECTED COMMUNITIES REGARDING THE ALA WAI FLOOD RISK MANAGEMENT PROJECT AND TO CONSIDER AND EXPLORE ALTERNATIVE PLANS THAT MINIMIZE IMPACTS TO AREA RESIDENTS, SCHOOLS, AND OTHER STAKEHOLDERS.

Councilmember Fukunaga moved that Committee Report 203 and Resolution 19-145 be adopted. Seconded by Councilmember Pine.

The following individuals testified:

1. Dave Raney, Sierra Club Oahu Group (M-384) (Support)
2. Dave Watase (Support)
3. Winston Welch, The Outdoor Circle (Support)
4. Arvid Youngquist (Support)

Councilmember Kobayashi urged councilmembers to support the measure. She noted that this is a good project but the City should consider options and alternatives that will not hurt private properties, Manoa School, Hokulani School, Ala Wai School and Iolani School who are all concerned about the loss of their property.

Committee Report 203 and Resolution 19-145 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

D-442 Makiki Neighborhood Board No 10  
M-384 Early testimony on Resolution 19-145  
M-403 Additional testimony on Resolution 19-145

#### **ADOPTION**

#### **RESOLUTION 19-43, CD1 – COMMITTEE REPORT 206**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO RENOVATE TWO EXISTING SINGLE-FAMILY DWELLING UNITS, CONSTRUCT A NEW SINGLE-FAMILY DWELLING UNIT, AND MAKE VARIOUS IMPROVEMENTS IN MAUNALUA.

Councilmember Menor moved that Committee Report 206 and Resolution 19-43, as amended to CD1, be adopted. Seconded by Councilmember Waters.

The following individual testified:

Arvid Youngquist (M-385) (Support)

In response to Councilmember Pine, Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP) stated that:

- The DPP did not reject the Pokai Bay project; they recommended partial approval which meant going from a 21-lot subdivision to 8 dwelling units. She noted all of the Maunalua project is above the anticipated effects of sea level rise, is fairly set back from the coastline and is a large property with relatively little lot coverage compared to the 21 houses that were proposed for Pokai Bay.
- The DPP looks at each project using the same criteria, but the DPP will take into account specific site conditions.
- This project was already pre-approved by the City Council. The permit expired but it is the same proposal originally submitted.
- Other than the existing boat house, the other structures are well away from the shoreline.
- The Pokai Bay project does not sit on the ocean coastline but there was public concern that there were some existing flood hazard and sea level rise issues. The DPP is not sure the existing drainage canal can handle the anticipated additional runoff.

Committee Report 206 and Resolution 19-43, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-385 Early testimony on Resolution 19-43, CD1

#### **ADOPTION**

#### **RESOLUTION 19-111, CD1 – COMMITTEE REPORT 207**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR IMPROVEMENTS TO THE EXISTING CITY WASTEWATER PUMP STATION ON PAIKO DRIVE IN KULIOUOU.



Councilmember Menor moved that Committee Report 207 and Resolution 19-111, as amended to CD1, be adopted. Seconded by Councilmember Waters.

The following individual testified:

Arvid Youngquist (M-386) (Support)

Committee Report 207 and Resolution 19-111, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-386 Early testimony on Resolution 19-111, CD1

#### **ADOPTION**

#### **RESOLUTION 19-138, CD1 – COMMITTEE REPORT 209**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE CONSTRUCTION OF A MANIFOLD SYSTEM TO INTERCONNECT TWO EXISTING OIL PIPELINE SYSTEMS IN KAPOLEI.

Councilmember Menor moved that Committee Report 209 and Resolution 19-138, as amended to CD1, be adopted. Seconded by Councilmember Waters.

There was no public testimony.

Committee Report 209 and Resolution 19-138, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

## **BALANCE OF COMMITTEE REPORTS**

<u>EMLACR-192</u>	Request for authorization to settle a pre-litigation claim against the City and County of Honolulu entitled <u>Donald Bartley v. City and County of Honolulu</u> ; Claim No. 18-02951
<u>EMLACR-193</u>	Request for authorization to settle a case against the City and County of Honolulu entitled <u>Randall Morisako v. City and County of Honolulu, et al.</u> Civil No. 18-1-1476-09 KKH (Cir. Ct.).
<u>ZHCR-204</u>	<u>Bill 2</u> – Relating to Interim Planned Development permits for Transit-Oriented Development within close proximity to future rail stations. Granting a 120-day extension of time. (Deadline: 8/7/19 + 120 days)
<u>ZHCR-205</u>	<u>Bill 27</u> – To rezone land situated at Kaneohe, Oahu Hawaii. Granting a 180-day extension of time. (Applicant: Horseshoe Land Company LLC) (Deadline: 8/7/19 + 180 days)
<u>ZHCR-208</u>	<u>Resolution 19-136</u> – Approving an application for a Plan Review Use Permit for the relocation of Oahu Community Correctional Center to Halawa, and terminating the Plan Review Use Permit in Kalihi. Granting a 120-day extension of time. (Applicant: State of Hawaii, Department of Accounting and General Services) (Deadline: 7/3/19 + 120 days)
<u>ZHCR-210</u>	<u>Resolution 19-139</u> – Approving an application for a Plan Review Use Permit for the Women's Community Correctional Center Expansion. Granting a 120-day extension of time. (Applicant: State of Hawaii, Department of Accounting and General Services) (Deadline: 7/3/19 + 120 days)

Councilmember Kobayashi moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Fukunaga.

The following individual testified on ZHCR-208:

Arvid Youngquist (M-388) (Support)

The following individual testified on ZHCR-210:

Arvid Youngquist (M-389) (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office for ZHCR-205 (CC-203, CC-204).

The Balance of Committee Reports was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.  
NOES: None.

Related communications:

M-387 Early testimony on ZHCR-205 (Bill 27)  
M-388 Early testimony on ZHCR-208 (Resolution 19-136)  
M-389 Early testimony on ZHCR-210 (Resolution 19-139)

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS**

### **ADOPTION**

#### **RESOLUTION 19-148**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM HONOLULU FESTIVAL FOUNDATION.

Resolution 19-148 was waived to the Council floor by the Chair of the Committee on Business, Economic Development and Tourism.

Councilmember Kobayashi moved that Resolution 19-148 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-148 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

CC-228 Councilmember Kymberly Marcos Pine

**ADOPTION**

**RESOLUTION 19-152**

RESOLUTION URGING THE DEPARTMENT OF PLANNING AND PERMITTING TO EXPEDITE ITS ISSUANCE OF APPROVALS FOR THE CENTRAL ALA MOANA RESIDENTIAL CONDOMINIUM PROJECT.

Councilmember Kobayashi moved that Resolution 19-152 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Arvid Youngquist (M-390) (Support)
2. Bryan Mick, Disability and Communication Access Board (General comment)

Councilmember Kobayashi stated that there is a sense of urgency to move the project forward and asked that the project be allowed to move forward as expeditiously as possible.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-232).

Resolution 19-152 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-390 Early testimony on Resolution 19-152

### **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

### **ANNOUNCEMENTS**

Chair Anderson wished Councilmember Manahan well in representing Hawaii at the National Association of Counties annual meeting in Clark County, Nevada. He also extended safe travels to all colleagues who will be attending.

### **ADJOURNMENT**

At 2:23 p.m., Councilmember Kobayashi moved that the Council stand adjourned until Wednesday, August 7, 2019, at 10 a.m. at Kapolei Hale. Seconded by Councilmember Fukunaga and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,



*for* GLEN I. TAKAHASHI  
City Clerk

jy

DATE APPROVED:

August 7, 2019